

STU 529

2010-11-26 10:17

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

KIMBERLY WHITE,)
)
)
PLAINTIFF,)
)
)
vs.) Cause Number:
CREDITORS FINANCIAL GROUP, LLC) 2 10 CV 041.
)
)
DEFENDANT.)

COMPLAINT AND DEMAND FOR JURY TRIAL - INDIVIDUAL

Plaintiff, Kimberly White (hereinafter referred to as "Ms. White"), on behalf of herself, by counsel, Michael P. McIlree, for her Complaint against the Defendant, Creditors Financial Group LLC ("CFG"), alleges and state the following:

INTRODUCTION

1. This is an action for damages brought by the Plaintiff, ("Ms. White"), for the Defendant's violations of the Federal FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692, *et seq.* (hereinafter referred to as "FDCPA") which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

JURISDICTION

2. This Court has jurisdiction over the claims in this matter pursuant to 15 U.S.C. § 1692.

PARTIES

3. Ms. White is an individual consumer currently residing in Porter County, Indiana.

4. Creditors Financial Group LLC is a collection agency incorporated in the State of New York who collects debts nationwide including the State of Indiana.

5. CFG is a debt collector as defined by 15 U.S.C. § 1692a(6). Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

FACTUAL ALLEGATIONS

6. Multiple dunning letters throughout 2009, including September, October and November, 2009, have been sent to Plaintiff by mail from Defendant regarding an alleged Bank of America credit card account.

7. Said account was used by Plaintiff primarily for personal, household or family purposes.

8. In its' attempt to collect regarding the debt, Defendant has employed tactics which include making calls to Plaintiff's neighbor's residence.

9. During one phone communication on or about the end of August or beginning of September, 2009, Defendant called the neighbor and indicated that Defendant needed a statement for an insurance claim and requested that the neighbor inform Plaintiff to call 1-866-919-4912 and provided a specific reference number to the neighbor.

10. Defendant, by its' conduct has violated the FDCPA.

11. Defendant has violated 15 U.S.C. §1692b(1) and 15 U.S.C. §1692b(3).

12. Defendant has violated 15 U.S.C. §1692c.

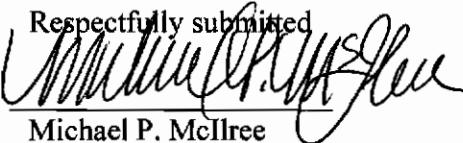
13. Defendant has violated 15 U.S.C. §1692d.

14. Defendant has violated 15 U.S.C. §1692e.

15. Defendant has violated 15 U.S.C. §1692f.

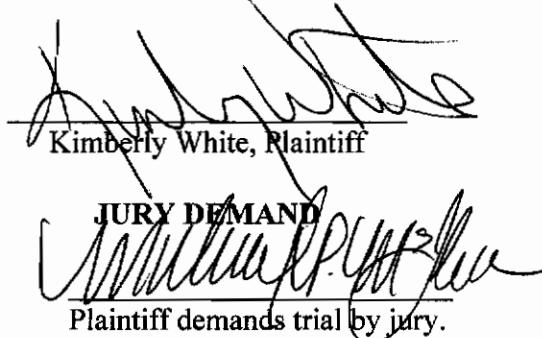
WHEREFORE, plaintiff requests that the Court enter judgment in her favor against the Defendant for:

1. Ms. White's actual damages.
2. The maximum amount of statutory damages provided under the FDCPA.
3. Attorney's fees, litigation expenses and costs.
4. Such other and further relief as is appropriate.

Respectfully submitted
By 
Michael P. McIlree

VERIFICATION

I declare that the statements contained in the Complaint are true and accurate to the best of my knowledge and belief.



Kimberly White, Plaintiff
JURY DEMAND
Plaintiff demands trial by jury.

Michael P. McIlree, #19847-45
Attorney at Law
821 E. Lincolnway, Ste. 1

Valparaiso, IN 46383
Tel: (219) 548-1800
Fax: (219) 548-5905
Attorney for Plaintiff